MONTANA LEGISLATIVE HISTORY

Chapter 245 1997

Bill H _____ S 341 Original bill & history ✓ C

H. Committee on Judiciary		S. Committee on Judiciary	
Hearing Date(s) 3-24	✓ C	Hearing Date(s) 2-17	✓ C
_____	___ C	_____	___ C
_____	___ C	_____	___ C
_____	___ C	_____	___ C
Date Out _____	___ C		

Did this bill originate in an interim committee? ___ Yes ___ No

Committee _____ Report _____

LEGISLATIVE HISTORIES

The 1997 Montana Legislature dramatically changed the nature of legislative minutes. This altered format continues with the 1999 legislative minutes. The minutes from House committees are extremely sparse in content, offering no substantive information from which to glean legislative intent. The Senate committees' minutes are fuller in content.

Exhibits, which include written statements, attendent information, roll call votes, roll call attendance, a list of those from the public who were present, and specific action taken on legislative bills, will be available only through the Historical Society Archives, 444-4774, and from a CD-ROM produced by the Legislative Services Division, 444-3064.

Just as in the 1997 legislative session, the 1999 House and Senate committee hearings were recorded. For information on accessing the tapes, or purchasing them, contact the Archives, 444-4774.

If you have concerns over the format of these legislative minutes, it is suggested that you contact your state legislators.

3/03	REFERRED TO STATE ADMINISTRATION		
3/07	HEARING		
3/21	COMMITTEE REPORT—BILL CONCURRED AS AMENDED		
4/04	2ND READING CONCURRED	51	45
4/05	3RD READING FAILED	49	51
4/07	MOTION FAILED TO RECONSIDER PREVIOUS ACTION	47	50

SB 341 INTRODUCED BY STANG, ET AL. *LC1344 DRAFTER: LANE*

REVISE THE PENALTY FOR THE OFFENSE OF FELONY ASSAULT

2/12	INTRODUCED		
2/12	FIRST READING		
2/12	REFERRED TO JUDICIARY		
2/12	FISCAL NOTE REQUESTED		
2/15	FISCAL NOTE RECEIVED		
2/15	FISCAL NOTE PRINTED		
2/17	HEARING		
2/18	COMMITTEE REPORT—BILL PASSED		
2/22	2ND READING PASSED	50	0
2/24	3RD READING PASSED	50	0
	TRANSMITTED TO HOUSE		
3/03	FIRST READING		
3/03	REFERRED TO JUDICIARY		
3/24	HEARING		
3/25	COMMITTEE REPORT—BILL CONCURRED		
4/03	2ND READING CONCURRED	93	7
4/04	3RD READING CONCURRED	91	7
	RETURNED TO SENATE		
4/08	SIGNED BY PRESIDENT		
4/08	SIGNED BY SPEAKER		
4/09	TRANSMITTED TO GOVERNOR		
4/11	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 245		
	EFFECTIVE DATE: 10/01/97		

SB 342 INTRODUCED BY BROOKE, ET AL. *LC0968 DRAFTER: WILLIAMS*

REVISE THE BASIN CLOSURE, WATER LEASING, AND TEMPORARY CHANGE STATUTES AS THEY APPLY TO THE UPPER CLARK FORK RIVER BASIN

2/12	INTRODUCED		
2/12	FIRST READING		
2/12	REFERRED TO NATURAL RESOURCES		
2/12	FISCAL NOTE REQUESTED		
2/15	FISCAL NOTE RECEIVED		
2/15	FISCAL NOTE PRINTED		
2/17	HEARING		
2/20	COMMITTEE REPORT—BILL PASSED AS AMENDED		
2/24	2ND READING PASSED	50	0
2/25	3RD READING PASSED	49	1
	TRANSMITTED TO HOUSE		
3/03	FIRST READING		
3/03	REFERRED TO NATURAL RESOURCES		
4/02	HEARING		
4/03	COMMITTEE REPORT—BILL CONCURRED AS AMENDED		
4/04	2ND READING CONCURRED	83	12
4/05	3RD READING CONCURRED	82	18
	RETURNED TO SENATE WITH AMENDMENTS		
4/09	2ND READING AMENDMENTS CONCURRED	50	0

Senate BILL NO. 341

INTRODUCED BY Stacey Bookout
Bradley M. Van Dyk Bond

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE PENALTY FOR THE OFFENSE OF FELONY ASSAULT; PROVIDING THAT IF THE OFFENDER IS A PARTNER OR FAMILY MEMBER OF THE VICTIM, THE OFFENDER IS REQUIRED TO PAY FOR AND UNDERGO COUNSELING ASSESSMENT; PROVIDING THAT A CONVICTION FOR FELONY ASSAULT, IF THE OFFENDER IS A PARTNER OR FAMILY MEMBER OF THE VICTIM, IS A PRIOR CONVICTION FOR PURPOSES OF PARTNER OR FAMILY MEMBER ASSAULT; AND AMENDING SECTIONS 45-5-202 AND 45-5-206, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 45-5-202, MCA, is amended to read:

"45-5-202. (Temporary) Aggravated assault -- felony assault. (1) A person commits the offense of aggravated assault if ~~he~~ the person purposely or knowingly causes serious bodily injury to another.

(2) A person commits the offense of felony assault if ~~he~~ the person purposely or knowingly causes:

(a) bodily injury to another with a weapon;

(b) reasonable apprehension of serious bodily injury in another by use of a weapon; or

(c) bodily injury to a peace officer or a person who is responsible for the care or custody of a prisoner.

(3) (a) A person convicted of aggravated assault shall be imprisoned in the state prison for a term of not less than 2 years or more than 20 years and may be fined not more than $50,000, except as provided in 46-18-222. ~~A~~ Subject to the provisions of subsection (3)(b), a person convicted of felony assault shall be imprisoned in the state prison for a term not to exceed 10 years or be fined not more than $50,000, or both.

(b) In addition to any sentence imposed under subsection (3)(a), if the person convicted of felony assault is a partner or family member of the victim, as defined in 45-5-206, the person is required to pay for and complete a counseling assessment as required in 45-5-206(4).

45-5-202. (Effective July 1, 1997) Aggravated assault -- felony assault. (1) A person commits the offense of aggravated assault if the person purposely or knowingly causes serious bodily injury to another.

(2) A person commits the offense of felony assault if the person purposely or knowingly causes:

(a) bodily injury to another with a weapon;

(b) reasonable apprehension of serious bodily injury in another by use of a weapon; or

(c) bodily injury to a peace officer or a person who is responsible for the care or custody of a prisoner.

(3) (a) A person convicted of aggravated assault shall be imprisoned in the state prison for a term of not less than 2 years or more than 20 years and may be fined not more than $50,000, except as provided in 46-18-219 and 46-18-222. ~~A~~ Subject to the provisions of subsection (3)(b), a person convicted of felony assault shall be imprisoned in the state prison for a term not to exceed 10 years or be fined not more than $50,000, or both.

(b) In addition to any sentence imposed under subsection (3)(a), if the person convicted of felony assault is a partner or family member of the victim, as defined in 45-5-206, the person is required to pay for and complete a counseling assessment as required in 45-5-206(4)."

Section 2. Section 45-5-206, MCA, is amended to read:

"**45-5-206. Partner or family member assault -- penalty.** (1) A person commits the offense of partner or family member assault if the person:

(a) purposely or knowingly causes bodily injury to a partner or family member;

(b) negligently causes bodily injury to a partner or family member with a weapon; or

(c) purposely or knowingly causes reasonable apprehension of bodily injury in a partner or family member.

(2) For the purposes of Title 40, chapter 15, 46-6-311, and this section, the following definitions apply:

(a) "Family member" means mothers, fathers, children, brothers, sisters, and other past or present family members of a household. These relationships include relationships created by adoption and remarriage, including stepchildren, stepparents, in-laws, and adoptive children and parents. These relationships continue regardless of the ages of the parties and whether the parties reside in the same household.

(b) "Partners" means spouses, former spouses, persons who have a child in common, and persons who have been or are currently in a dating or ongoing intimate relationship with a person of the opposite

sex.

(3) (a) An offender convicted of partner or family member assault shall be fined an amount not less than $100 or more than $1,000 and be imprisoned in the county jail for a term not to exceed 1 year or not less than 24 hours for a first offense. An offender convicted of a second offense under this section shall be fined not less than $300 or more than $1,000 and be imprisoned in the county jail not less than 72 hours or more than 1 year. Upon a first or second conviction, the offender may be ordered into misdemeanor probation as provided in 46-23-1005. On a third or subsequent conviction for partner or family member assault, the offender shall be fined not less than $500 and not more than $50,000 and be imprisoned for a term not less than 30 days and not more than 5 years. If the term of imprisonment does not exceed 1 year, the person shall be imprisoned in the county jail. If the term of imprisonment exceeds 1 year, the person shall be imprisoned in the state prison.

(b) (i) For the purpose of determining the number of convictions under this section, a conviction means a conviction, as defined in 45-2-101, in this state, conviction for a violation of a similar statute in another state, or a forfeiture of bail or collateral deposited to secure the defendant's appearance in court in this state or in another state for a violation of a similar statute, which forfeiture has not been vacated.

(ii) A conviction for felony assault under 45-5-202, if the offender was a partner or family member of the victim, constitutes a conviction for the purpose of calculating prior convictions under this section.

(4) (a) An offender convicted of partner or family member assault ~~shall be~~ is required to pay for and complete a counseling assessment with a focus on violence, dangerousness, and chemical dependency. The offender shall follow through on all recommendations made by the counseling provider. The counselor must be approved by the court. The counseling must include a counseling assessment and a minimum of 25 hours of counseling, in addition to the assessment. The assessment and the counseling must be:

(i) with a person licensed under Title 37, chapter 17, 22, or 23;

(ii) with a professional person as defined in 53-21-102; or

(iii) in a specialized domestic violence intervention program.

(b) The counseling provided in subsection (4)(a) must be directed to the violent conduct of the offender. Other issues indicated by the assessment may be addressed in additional counseling beyond the minimum 25 hours. Subsection (4)(a) does not prohibit the placement of the offender in other appropriate treatment if the court determines that there is no available treatment program directed to the violent conduct of the offender.

(5) In addition to any sentence imposed under subsections (3) and (4), after determining the financial resources and future ability of the offender to pay restitution as provided for in 46-18-242, the court shall require the offender, if able, to pay the victim's reasonable actual medical, housing, wage loss, and counseling costs.

(6) In addition to the requirements of subsection (5), if financially able, the offender shall be ordered to pay for the costs of the offender's probation, if probation is ordered by the court.

(7) The court may prohibit an offender convicted under this section from possession or use of the firearm used in the assault. The court may enforce 45-8-323 if a firearm was used in the assault.

(8) At the time of sentencing, the court shall provide an offender a written copy of the offender's sentence."

-END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for SB0341, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:
An act revising the penalty for the offense of felony assault; providing that if the offender is a partner or family member of the victim, the offender is required to pay for and undergo counseling assessment; providing that a conviction for felony assault, if the offender is a partner or family member of the victim, is a prior conviction for purposes of partner or family member assault.

FISCAL IMPACT:
There is no fiscal impact to the state.

Dave Lewis 2-15-97
DAVE LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

Barry "Spook" Stang 2/15/97
BARRY "SPOOK" STANG, PRIMARY SPONSOR DATE

Fiscal Note for SB0341, as introduced

SB 341

SENATE JUDICIARY

BILL NO	REFERRED	HEARING	OTHER CONSIDERATION DATES	EXECUTIVE ACTION/DATE/VOTE	RE~~FE~~RRED	DATE READ
SB0289	2/06	2/11		PASS AS AMENDED VOTE:10-0	2-13	2/14
SB0291	BROOKE, VIVIAN 2/06	2/14	ADD SEXUAL ORIENTATION TO MALICIOUS HARASSMENT LAWS	TABLED ON 02/19 VOTE: 7-3		
SB0303	WILSON, WILLIAM 2/07	2/11	ALLOW JUDGE TO REQUIRE CERTAIN OFFENDERS TO HAVE IGNITION INTERLOCK DEVICE	PASS AS AMENDED VOTE: 8-2	2-18	2/18
SB0314	CRIPPEN, BRUCE 2/08	2/13	REVISE VENUE	DO PASS VOTE:6-4	2-17	2/18
SB0318	BECK, TOM 2/08	2/13	DISALLOW ORAL EVIDENCE ON EQUITABLE ESTOPPEL DEFENSE RE: WRITTEN CONTRACT	TABLED ON 02/17 VOTE:9-1		
SB0321	HALLIGAN, MIKE 2/11	2/14	PROVIDE FOR A MOBILE HOME COURT MEDIATOR	PASS AS AMENDED VOTE:7-3	2-17	2/18
SB0327	DOHERTY, STEVE 2/11	2/14	CREATE OFFENSE OF ELECTIONEERING BY PHONE ON ELECTION DAY	PASS AS AMENDED VOTE:8-2	2-17	2/18
SB0329	HALLIGAN, MIKE 2/11	2/14	REVISE LAWS GOVERNING BUSINESS ENTITIES	PASS AS AMENDED VOTE:10-0	2-14	2/14
SB0341	STANG, BARRY 2/12	2/17	FELONY PARTNER OR FAMILY MEMBER ASSAULT	DO PASS VOTE:10-0	2-17	2/18
SB0368	LYNCH, J. D. 2/13	2/18	REGULATE SALE AND IMPORTATION OF VIDEO GAMBLING MACHINES	PASS AS AMENDED VOTE: 10-0	2-18	2/18
SB0369	SWYSGOOD, CHARLES 2/15	2/18	ENDANGERING WELFARE OF CHILDREN INCL. CONTACTING CHILD AG. PARENTS' WISHES	DO PASS VOTE:10-0	2-19	2/19
SB0374	HARGROVE, DON 2/17	2/20	REVISE CHILD SUPPORT LAWS TO COMPLY WITH FEDERAL REQUIREMENTS AND LAW	PASS AS AMENDED VOTE:7-3	2-21 FINANCE & CLAIMS	2/22
	HARP, JOHN		GENERALLY REVISE PRIVATE SECURITIES LITIGATION LAWS			

MINUTES

MONTANA SENATE
55th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: By **CHAIRMAN BRUCE D. CRIPPEN**, on February 17, 1997, at 8:00 a.m., in the Senate Judiciary Chambers (Room 325) of the State Capitol, Helena, Montana.

ROLL CALL

Members Present:
Sen. Bruce D. Crippen, Chairman (R)
Sen. Lorents Grosfield, Vice Chairman (R)
Sen. Al Bishop (R)
Sen. Sue Bartlett (D)
Sen. Steve Doherty (D)
Sen. Sharon Estrada (R)
Sen. Mike Halligan (D)
Sen. Ric Holden (R)
Sen. Reiny Jabs (R)
Sen. Walter L. McNutt (R)

Members Excused: None

Members Absent: None

Staff Present: Valencia Lane, Legislative Services Division
Jody Bird, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:
Hearing(s) & Date(s) Posted: SB 341, posted February 14
Executive Action: SB 231, SB 247, SB 255, SB 266, SB 291, SB 303, SB 314, SB 318, SB 321, SB 327, SB 341

EXECUTIVE ACTION ON SB 266

Discussion: **Roger McGlenn.** The interested parties met in the Insurance Department on Friday afternoon and tried to work toward a mutually acceptable position on this bill. They wanted to meet again today if you didn't take executive action. There was movement, but not total agreement yet. **Russell Hill.** My impression of the meeting was that the majority of folks there agreed basically that there were certain elements of the bill that everybody could accept. They need to determine how big a

{Tape: 1; Side: B; Approx. Time Count: 00; Comments: 8:45 a.m..}

SEN. JABS. Is the county to pay for this? **SEN. DOHERTY.** There are no funds provided for that.

Vote: **SEN. DOHERTY'S MOTION TO AMENDMENT SB 303 CARRIED UNANIMOUSLY.**

Discussion: **SEN. HOLDEN.** The fiscal note provides for local FTE and officers to check machines to see that they're working. I want to put a "contingency voidness clause" on the bill. **SEN. BARTLETT.** Aren't these clauses for bills that could reduce revenue?

CHAIRMAN CRIPPEN. This bill has not been flagged as needing a fiscal note. If it is, when it goes to the House, they can deal with it there. So, I don't know if this is appropriate.

Motion: **SEN. ESTRADA MOVED TO TABLE SB 303.**

Discussion: **VICE CHAIRMAN GROSFIELD.** The purpose of the bill is to prevent persons from coming before the Court with numerous DUIs. This does something different at the second offense. If we can prevent a third and fourth DUI, it could cut court and local government costs. Therefore, I oppose the motion.

SEN. ESTRADA. Does this address driving another vehicle? **Valencia Lane.** It addresses the device.

Vote: **SEN. ESTRADA'S MOTION TO TABLE SB 303 CARRIED 5-4, WITH ALL MEMBERS VOTING AYE EXCEPT SENATORS CRIPPEN, BARTLETT, DOHERTY, AND GROSFIELD WHO VOTED NO. SEN. HALLIGAN WAS NOT PRESENT AND DID NOT LEAVE A VOTE.**

{Tape: 1; Side: B; Approx. Time Count: #11.4; Comments: None.}

HEARING ON SB 341

Sponsor: **SEN. BARRY 'SPOOK' STANG, SD 36, St. Regis**

Proponents: **Kate Cholewa, Montana Women's Lobby**

Opponents: **None**

Opening Statement by Sponsor: **SEN. BARRY 'SPOOK' STANG, SD 36, St. Regis.** This bill was requested by the Chief of Police in Plains and the Sheriff in Sanders County. It revises the penalty for felony assault. If the offender is a partner or family member of the victim, the offender is required to pay for and undergo counseling assessment. It also provides that a prior conviction of felony assault is a prior conviction for purposes of partner or family member assault, if the offender is a partner or family member of the victim **(EXHIBITS #3, #4 and #5).**

Proponents' Testimony: **Kate Cholewa, Montana Women's Lobby.** We support the bill as it makes good sense especially in undergoing counseling assessments.

Opponents' Testimony: None

Questions From Committee Members and Responses: **SEN. BARTLETT.** What if the assessment does not recommend counseling? **SEN. STANG.** Then I don't see a reason to do so. If the Committee needs to amend this it's okay with me.

SEN. BARTLETT. I believe the records need to follow up with the individual doing the assessment.

SEN. ESTRADA. Would this include elder abuse? **SEN. STANG.** Some laws now cover this, if no weapon is used.

Closing by Sponsor: **SEN. STANG** provided a letter from the Family Violence Intervention Project, Tootie Welker, for the record **(EXHIBIT #6)**, and thanked the Committee for a good hearing, asking the Committee to amend the bill as necessary.

EXECUTIVE ACTION ON SB 341

Motion/Vote: **SEN. ESTRADA MOVED SB 341 DO PASS. THE MOTION CARRIED UNANIMOUSLY.**

EXECUTIVE ACTION ON SB 255

Motion: **SEN. ESTRADA MOVED SB 255 DO PASS.**

Discussion: **SEN. MIKE HALLIGAN.** Is there a fiscal note?

Motion: **SEN. HALLIGAN MADE A SUBSTITUTE MOTION TO TABLE SB 255.**

Discussion: **SEN. JABS.** Isn't this kind of a theory? **CHAIRMAN CRIPPEN.** One point I heard the Department of Justice make was that, under Montana law, regarding grand juries, when filing a criminal change in District Court, this is called in information, and it must show probably cause for the Judge to review and approve or reject it. I have no question that **SEN. EMERSON** is sincere, as are the proponents, but this is not the avenue. Maybe the Court could establish a commission to look into these things.

SEN. ESTRADA. I am a little concerned about frivolous complaints, but I hate to table the bill, and not all judges and lawyers are fair. These few cases per year need an outlet.

CHAIRMAN CRIPPEN. The allegations against the individuals in that book we were given were very strong, but we would have no assurance of any protection under the law at any time with this bill, and protection is the purpose of the courts. Even the

HOUSE JUDICIARY

- BILL NO -	REFERRED -	HEARING -	OTHER CONSIDERATION DATES - EXECUTIVE ACTION/DATE/VOTE -------	RERE[illegible]ERRED ----	DATE READ
SB0314	CRIPPEN, BRUCE 3/03	3/21	REVISE VENUE CONCUR AS AMENDED 03/27 VOTE: 9-8		4/02
SB0320	BROOKE, VIVIAN 3/03	3/24	ESTABLISHING THE MONTANA GOVERNMENT ACCOUNTABILITY ACT TABLED ON 03/27 VOTE: 10-8		
SB0329	HALLIGAN, MIKE 2/21	3/25	REVISE LAWS GOVERNING BUSINESS ENTITIES CONCUR 03/27 VOTE: 18-2		3/27
SB0341	STANG, BARRY 3/03	3/24	FELONY PARTNER OR FAMILY MEMBER ASSAULT CONCUR 03/24 VOTE: 17-0		3/25
SB0369	SWYSGOOD, CHARLES 3/03	3/24	ENDANGERING WELFARE OF CHILDREN INCL. CONTACTING CHILD AG. PARENTS' WISHES CONCUR AS AMENDED 03/27 VOTE: 19-0		4/02
SB0374	HARGROVE, DON 4/03	4/09	REVISE CHILD SUPPORT LAWS TO COMPLY WITH FEDERAL REQUIREMENTS AND LAW CONCUR AS AMENDED 4/14 VOTE: 11-9		4/15
SB0382	HARP, JOHN 3/03	3/25	GENERALLY REVISE PRIVATE SECURITIES LITIGATION LAWS TABLED ON 03/27 VOTE: 11-9		
SB0383	CRIPPEN, BRUCE 3/03	3/21	CRIMINAL STREET GANG TERRORISM ENFORCEMENT & PREVENTION ACT CONCUR 03/27 VOTE: 17-1		3/27

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
55th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: By CHAIRMAN BOB CLARK, on March 24, 1997, at 8:00 AM, in Room 312-1.

ROLL CALL

Members Present:

Rep. Bob Clark, Chairman (R)
Rep. Daniel W. McGee, Vice Chairman (Majority) (R)
Rep. Diana E. Wyatt, Vice Chairman (Minority) (D)
Rep. Shiell W. Anderson (R)
Rep. Ellen Bergman (R)
Rep. Aubyn A. Curtiss (R)
Rep. Jon Ellingson (D)
Rep. Duane Grimes (R)
Rep. H.S. "Sonny" Hanson (R)
Rep. Joan Hurdle (D)
Rep. Deb Kottel (D)
Rep. Linda McCulloch (D)
Rep. Brad Molnar (R)
Rep. Gerald Pease (D)
Rep. Diane Sands (D)
Rep. Liz Smith (R)
Rep. Loren L. Soft (R)
Rep. Bill Tash (R)

Members Excused: Rep. Chris Ahner
Rep. William E. Boharski
Rep. H.S. "Sonny" Hanson until 9:45 AM

Members Absent: Rep. Diane Sands until 9:30 AM

Staff Present: John MacMaster, Legislative Services Division
Joanne Gunderson, Committee Secretary

Committee Business Summary:

Hearing(s) & Date(s) Posted: SB 320, SB 341, SB 369
POSTED 3/6; 3/13 and 3/20

Executive Action: SB 167 BE CONCURRED IN
SB 341 BE CONCURRED IN
SB 168 TABLED
SB 270 BE CONCURRED IN AS AMENDED
SB 383 ACTION POSTPONED

HEARING ON SB 320

Opening Statement by Sponsor: SEN. VIVIAN BROOKE EXHIBITS 1-2
{Tape: 1; Side: A; Approx. Time Count: 1.6; Comments: This set of minutes is recorded on four 60-minute tapes.}

Proponents' Testimony:

SEN. DEL GAGE
{Tape: 1; Side: A; Approx. Time Count: 7.0}

KEVIN KEENAN EXHIBITS 3-5A
{Tape: 1; Side: A; Approx. Time Count: 10.6}

SHERI SCHOFIELD EXHIBITS 6-6B
{Tape: 1; Side: A; Approx. Time Count: 20.6}

JOHN SMART EXHIBIT 7
{Tape: 1; Side: A; Approx. Time Count: 30.0}

LUELLA SCHULTZ EXHIBIT 8
{Tape: 1; Side: B; Approx. Time Count: 3.4}

TOM SCHNEIDER, Montana Federation of State Employees
{Tape: 1; Side: B; Approx. Time Count: 9.1}

Opponents' Testimony:

LEROY SCHRAMM, Montana University System EXHIBIT 9
{Tape: 1; Side: B; Approx. Time Count: 10.8; Comments: This witness did not sign in.}

MARK CRESS, Administrator, State Personnel, Department of Administration, and the Governor' Office EXHIBIT 10
{Tape: 1; Side: B; Approx. Time Count: 24.2}

JOHN FITZPATRICK, Pegasus Gold
{Tape: 2; Side: A; Approx. Time Count: 2.1}

Questions From Committee Members and Responses:
{Tape: 2; Side: A; Approx. Time Count: 7.4-Tape 2; Side B; 16.0}

Closing by Sponsor: SEN. BROOKE
{Tape: 2; Side: B; Approx. Time Count: 16.2}

HEARING ON SB 341

Opening Statement by Sponsor: SEN. BARRY "SPOOK" STANG
{Tape: 2; Side: B; Approx. Time Count: 22.0}

Questions From Committee Members and Responses:
{Tape: 2; Side: B; Approx. Time Count: 24.5-Tape 3; Side A; 3.9}

Closing by Sponsor: SEN. STANG
{Tape: 3; Side: A; Approx. Time Count: 4.0}

HEARING ON SB 369

Opening Statement by Sponsor: SEN. CHARLES "CHUCK" SWYSGOOD
{Tape: 3; Side: A; Approx. Time Count: 5.3; Comments: REP. McGEE assumed the chair.}

Proponents' Testimony:

BETTY WADDELL, Montana Association of Churches
{Tape: 3; Side: A; Approx. Time Count: 13.1}

Questions From Committee Members and Responses:
{Tape: 3; Side: A; Approx. Time Count: 16.7-Tape 3; Side B; 1.5; Comments: CHAIRMAN CLARK resumed the chair.}

Closing by Sponsor: SEN. SWYSGOOD EXHIBIT 11
{Tape: 3; Side: B; Approx. Time Count: 1.8}

EXECUTIVE ACTION ON SB 383

Motion: REP. WYATT moved SB 383 BE CONCURRED IN.
{Tape: 3; Side: B; Approx. Time Count: 5.3}

Discussion:
{Tape: 3; Side: B; Approx. Time Count: 6.0 - 10.8; Comments: REP. WYATT withdrew motion, action was postponed.}

EXECUTIVE ACTION ON SB 270

Motion: REP. McGEE moved SB 270 BE CONCURRED IN.
{Tape: 3; Side: B; Approx. Time Count: 11.6}

Discussion:
{Tape: 3; Side: B; Approx. Time Count: 12.3}

Motion: REP. McGEE moved to amend SB 270 with sponsor's amendments.
{Tape: 3; Side: B; Approx. Time Count: 13.3}

Discussion:
{Tape: 3; Side: B; Approx. Time Count: 14.5}

EXECUTIVE ACTION ON SB 341

MOTION/VOTE: REP. SMITH MOVED SB 341 BE CONCURRED IN. THE motion carried 17 - 0. REP. SOFT voted aye by proxy. **REP. BOOKOUT will carry SB 341.**
{Tape: 4; Side: A; Approx. Time Count: 18.4}

EXECUTIVE ACTION ON SB 167

Motion: REP. SANDS moved SB 167 BE CONCURRED IN.
{Tape: 4; Side: A; Approx. Time Count: 19.4}

Discussion:
{Tape: 4; Side: A; Approx. Time Count: 19.5}

Vote: The motion carried 16 - 1; REP. McGEE voting no. REP. SOFT voted aye by proxy. **REP. RYAN will carry SB 167.**
{Tape: 4; Side: A; Approx. Time Count: 20.9}

Motion: REP. HANSON moved to adjourn. The meeting was adjourned.